

REMARKS

Entry of the foregoing amendment will not introduce new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application be, kindly, reconsidered.

The Office Action dated November 10, 2003 has been received and considered by the Applicants. Claims 1-12 are pending in the present application for invention. Claims 1-12 stand rejected by the November 10, 2003 Office Action.

The drawings are objected to because the boxes in the drawings contain no data deciphering them from each other. Redlined drawings are submitted with this response that clearly identify the function performed by the boxes in the drawings.

The Office Action rejects Claims 7 and 8 under the provisions of 37 CFR §1.75(c) as being in improper form because a multiple dependent claim cannot depend on any other multiple dependent claims. The Examiner states that, accordingly, the claims have not been further treated on the merits. The foregoing amendment to the claims has corrected these oversights.

The Office Action rejects Claims 8 and 12 because of the following informalities: They are in an improper form in which the reference to the parent claim follows the new claimed material. The foregoing amendment to the claims has corrected these oversights.

The Office Action rejects Claims 1-12 under the provisions of 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,778,187 issued to Monteiro, et al. (hereinafter referred to as Monteiro).

Regarding Claim 1, the Examiner states that column 17, lines 20-31 and column 7 lines 48-59 of Monteiro teach an application that allows for an optional graphical user interface displayed. The Examiner additionally states that Monteiro and column 17, lines 20-31 and column 7, lines 48-59 teach that the user interface changes in response to a different song being played. In the Applicants like to, respectfully, point out a skin as defined by the present application for invention is not the same as the broader term "user interface". The Applicants would like to draw the Examiner's attention to page 1 of the specification to the present invention beginning at line 9, where the terms skins is used

within the present invention is defined. Beginning at line 12 on page 1 anticipated that a "skin may consist of a user interface layout, which defines a specific background, colors and shapes, and position in nature of control buttons in the graphical user interface." It should be abundantly clear that a change in the user interface does not necessarily constitute a change within the skin. It should also be abundantly clear that a change within the skin necessarily results in a change in the user interface. The reason for this is because the term "skin" is a more narrow term than the term "user interface". The Examiner has cited portions of Monteiro that discuss changes in the user interface that do not result in changes in the skin. In fact changes in the skin are not discussed at all by Monteiro. For example, column 17, lines 20-31 of Monteiro discuss that information contained in a portion of the inner user interface, i.e. the channel guide, program guide and the tabs can be dynamically transmitted to the client and that tabs can be used within the user interface displaying information related to a current song being played. However, there is no discussion related to changing a skin, there is only discussion related to minor alterations of the information that is currently being displayed within the user interface, but still using the same skin. Column 7 lines 48-59 of Monteiro discusses that sidebar information is synchronized with the audio channel and that a music program can deliver images or the text for song lyrics. However there is no discussion related to changing the skin. Accordingly, this objection is respectfully traversed.

Regarding Claim 2, the Examiner states that column 17, lines 20-31 of Monteiro teach is that the tabs of a multimedia frame can be dynamically transmitted to the client. This portion of Monteiro states that the information within the tabs can be dynamically transmitted, not that the configuration of the tabs themselves can be dynamically altered. This portion out of Monteiro discusses changing the information within the existing skin, there is no disclosure, or suggestion, for actually changing the skin. Accordingly, this rejection is respectfully traversed.

Regarding Claim 3, the Examiner states that Monteiro at column 8, lines 17-25 and column 7, lines 48-59 teach storing a plurality of user specific interface elements on the client computer including an identification of a respective one of a plurality of skins. The Applicants would like to, respectfully, point out that Monteiro at column 8, lines 17-25 discusses an advertising strain that can be delivered in advance of regular

programming and stored in a buffer where it could later be inserted into regular programming upon receipt of our queuing single embedded in the right to programming. This does not constitute storing a plurality of skins as recited by rejected Claim 3 to the present invention. The Applicants would like to respectfully point out that the terms skins as used in the present application for invention is defined as previously discussed. Advertising medium as discussed by Monteiro at column 8, lines 17-25 is not equivalent to a skin as defined by the present invention. Accordingly, this rejection is, respectfully, traversed.

Regarding Claim 4, the Examiner again asserts that advertisements are equivalent to the skins that are recited by the rejected claims the present invention. The Applicants would like to, respectfully, point out that the advertisements are information that can be displayed within a skin but that the advertisements themselves are not a skin. Accordingly this rejection is respectfully traversed.

Regarding Claim 5, the Applicants respectfully assert that Claim 5 depends from Claim 1, which as previously discussed is believed allowable, therefore Claim 5 which further narrows and defines Claim 1 is also believed to be allowable.

Regarding Claim 6, the Applicants respectfully assert that Claim 6 depends from Claim 5, which as previously discussed is believed allowable, therefore Claim 6 which further narrows and defines Claim 5 is also believed to be allowable.

Regarding Claim 7, which recites that the apparatus further comprises user profile means for maintaining a user profile and the event includes a change of the user profile, the Examiner states that column 2, lines 17-26 and column 8, lines 12-15 of Monteiro teach that portions of information can be tailored to client. The Applicants would like to, respectfully, point out that column 2, lines 17-26 of Monteiro discuss up to that when multiple channels information are available that certain portions of information can be tailored to the individual user. This is not a user profile. Moreover, there is no disclosure, or suggestion, that tailoring of information in any way manner form results in the changing of a skin. Column 8, lines 12-15 of Monteiro discuss a user receiving advertising unique to his demographic group. Again the Applicants would like to, respectfully, point out that this advertising is nothing more than information that could be displayed within a skin, but the advertising is not a skin. Accordingly, this rejection is

respectfully traversed.

Regarding Claim 8, the Applicants respectfully assert that Claim 8 depends from Claim 1, which as previously discussed is believed allowable, therefore Claim 8 which further narrows and defines Claim 1 is also believed to be allowable.

Regarding Claim 9, the Examiner states that column 17, lines 20-31 and figure 18 of Monteiro teach an application with a dynamic graphical user interface based on the client selections, that allows for an optional graphical user interface displayed. The Examiner states that column 17, lines 20-31 and figure 1 of Monteiro teach that skin information is transmitted to the client. The Applicants would like to, respectfully, point out that the term "skin" which is a commonly used term, is not used or implied by the teachings of Monteiro. Moreover, Monteiro never discusses using a skin, and there is no feature within Monteiro or the Office Action that can be read on a skin change command as recited by rejected Claim 9. Accordingly, this rejection is, respectfully, traversed.

Regarding Claim 10, there is no disclosure within Monteiro for the application of a skin within the graphical user interface taught by Monteiro. The Examiner of the sites column 8, lines 17-25 and column 7, lines 48-59 of Monteiro in states that the sections teach storing a plurality of user interface elements on a client computer and displaying the interface elements in response to audio channels or specific cueing signals. The appearance like to respectfully point out that these elements that the same refers to arm advertisements or sidebar information that is synchronized with the audio channel. There are no skins disclosed or suggested by the teachings of Monteiro. Accordingly this rejection is respectfully traversed.

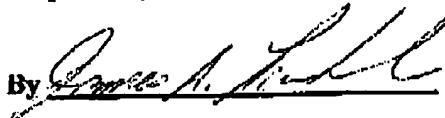
Regarding Claim 11, the Examiner states that column 8, lines 17-25 and column 7, lines 48-59 of Monteiro teach the downloading of interface elements in response to specific cueing signals. The Applicants would like to, again respectfully, point out that these elements are information that could conceivably be used within a skin but that these elements did not constitute a skin as defined by the present invention. Accordingly this rejection is especially traversed.

Regarding Claim 12, which depends from and further narrows and defines Claim 9, which as previously discussed is believed to be allowable, therefore Claim 12 is also believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

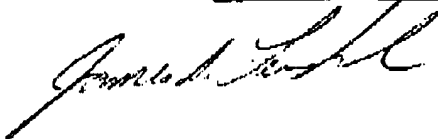
Respectfully submitted,

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